

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

The Applicant wishes to thank the Examiner for the courtesy shown to his representative during a telephone interview on June 22, 2010. The participants were Examiner Sayed Zewari and Douglas Agopsowicz, Reg. No. 56,792. The following includes a summary of the substance of the telephone interview.

During the interview, the discussion focused on the 35 U.S.C. § 102(e) rejections of claims 55-65 and 67 as being anticipated by U.S. Printed Publication No. 2002/0136271 to Texerman et al. Additionally, the rejections of claims 44-54 and 66 as being rejected under 35 U.S.C. § 103(a) as being unpatentable over Texerman in view of Moriwaki et al. (US 2004/0071142) were also discussed.

With respect to the rejections of claims 44-54 and 66 under 35 U.S.C. § 103(a), the Applicant's representative indicated that an English translation of the basic Japanese priority application would be submitted to antedate Moriwaki, since the application date (July 8, 2002) of the priority application antedates Moriwaki's filing date (January 10, 2003) and publication date (April 15, 2004). See MPEP 706.02(b). The Examiner indicated that submission of the English translation might put claims 44-54 and 66 in better condition for allowance pending further search and consideration. Thus, a verified English translation of the basic Japanese Patent Application No. 2002-199227, filed in the Japanese Patent Office on the 8th day of July, 2002, is submitted herewith.

Accordingly, it is respectfully submitted that the rejections of claims 44-54 and 66 should be withdrawn for at least this reason.

With respect to the rejections of claims 55-65 and 67 as being anticipated under 35 U.S.C. § 102(e) by Texerman, independent claims 55 and 67 have been amended, as discussed during the interview, to incorporate the additional feature of “a processing performing unit that, in case of receiving said data without said header, performs the processing of said data referring to said acquired header,” which is substantially similar to the features recited by independent claims 44 and 66 that the Office acknowledges are not disclosed by Texerman (see Office Action, page 3, item 3) (it is further noted that, to the extent that the Office alleges that Moriwaki discloses this feature, Moriwaki is overcome by the enclosed verified English translation of the priority application).

Accordingly, it is respectfully submitted that the rejections of claims 55-65 and 67 should be withdrawn for at least this reason.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

Respectfully submitted,

/James Edward Ledbetter/

Date: July 1, 2010
JEL/DEA/att

James E. Ledbetter
Registration No. 28,732

Attorney Docket No. 008638-04106
Dickinson Wright PLLC
1875 Eye Street, NW, Suite 1200
Washington, DC 20006
Telephone: (202) 457-0160
Facsimile: (202) 659-1559
DC 8638-4106 156324